

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MONSANTO COMPANY and )  
MONSANTO TECHNOLOGY LLC, )  
 )  
Plaintiffs, )  
 )  
vs. ) Case No. 4:09-CV-00686-ERW  
 )  
E.I. DUPONT DE NEMOURS AND )  
COMPANY and PIONEER HI-BRED )  
INTERNATIONAL, INC., )  
 )  
Defendants. )

**DUPONT'S MOTION FOR LEAVE TO FILE UN-REDACTED  
MEMORANDUM IN SUPPORT AND EXHIBITS THERETO UNDER SEAL**

Pursuant to E.D. Mo. L. R. 13.05(A), E.I. du Pont de Nemours and Company and Pioneer Hi-Bred International, Inc. (collectively “DuPont”) respectfully move the Court for an order allowing DuPont to file under seal a complete, unredacted copy of the Memorandum in Support of DuPont’s Second Motion to Compel and the exhibits thereto. The basis for this relief is as follows:

1. The Court has previously allowed the parties to file various pleadings and exhibits under seal. Further, the protective order entered herein provides for the filing of confidential information and documents under seal.
2. Portions of the Reply Memorandum in Support of Defendants’ Second Motion to Compel contain information designated as Confidential or Restricted Confidential by at least one of the parties. In addition, the exhibits to the Reply Memorandum contain and/or discuss information designated as Confidential or Restricted Confidential by Monsanto. Therefore, DuPont’s Reply Memorandum and the exhibits thereto should be sealed. DuPont is not filing a redacted version of the Reply Memorandum as part of the public record because the discussions

of confidential information is so pervasive, but DuPont can attempt to do so if necessary at a later time.

WHEREFORE, DuPont respectfully requests that the Court enter an order allowing it to file under seal a complete, unredacted Reply Memorandum in Support of DuPont's Second Motion to Compel and the exhibits thereto.

Dated: January 17, 2011

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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